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*Special Counsel to Irving H. Picard, Trustee for the Substantively  
Consolidated SIPA Liquidation of Bernard L. Madoff Investment  
Securities LLC and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

<p>SECURITIES INVESTOR PROTECTION CORPORATION,</p> <p style="text-align: center;">Plaintiff-Applicant,</p> <p>v.</p> <p>BERNARD L. MADOFF INVESTMENT SECURITIES LLC,</p> <p style="text-align: center;">Defendant.</p>	<p>Adv. Pro. No. 08-01789 (SMB)</p> <p>SIPA LIQUIDATION</p> <p>(Substantively Consolidated)</p>
<p>In re:</p> <p>BERNARD L. MADOFF,</p> <p style="text-align: center;">Debtor.</p>	
<p>IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>STANLEY I. LEHRER, in his capacity as administrator of the Stanley I. Lehrer and Stuart M. Stein, J/T WROS; and ELAINE STEIN ROBERTS,</p> <p style="text-align: center;">Defendants.</p>	<p>Adv. Pro. No. 10-05259 (SMB)</p>

**AMENDED NOTICE OF MEDIATOR SELECTION**

On November 10, 2010, this Court entered the Order (1) Establishing Litigation Case Management Procedures for Avoidance Actions and (2) Amending the February 16, 2010 Protective Order (the “Order”)<sup>1</sup> [Adv. Pro. No. 08-01789 (SMB), Dkt. No. 3141]. Pursuant to the Notice of Applicability filed by Plaintiff Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, et seq., and the substantively consolidated estate of Bernard L. Madoff individually, in this Adversary Proceeding on August 20, 2015 [Dkt. No. 144], the Order and the avoidance procedures contained therein (the “Avoidance Procedures”) are applicable to the instant matter.

Pursuant to the Avoidance Procedures, a.) on December 1, 2017, Plaintiff Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, et seq. (“SIPA”), and the substantively consolidated estate of Bernard L. Madoff individually (“Madoff”), filed with this Court the Notice of Mediation Referral [Dkt. No. 200], wherein the Trustee and Defendants (the “Parties”) jointly agreed to enter mediation upon completion of discovery without further court order, and b.) on December 15, 2017, the Trustee filed with this Court the Notice of Mediator Selection [Dkt. No. 202] wherein the Parties mutually selected from the Mediation Register Richard J. Davis, Esq., from the law office of Richard J. Davis, to act as the mediator in this matter.

Pursuant to the agreement of the Parties and Mr. Davis to select a substitute mediator prior to moving forward with mediation of this matter, the Parties hereby mutually agree to select

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<sup>1</sup> All terms not defined herein shall be given the meaning ascribed to them in the Order.

from the Mediation Register Deborah A. Reperowitz, of Stradley Ronon Stevens & Young, LLP, to act as the Mediator in this matter going forward. The Parties further agree to contact the Mediator as soon as practicable after this Amended Notice of Mediator Selection is filed with the Court.

The Parties further agree that no person shall act as Mediator if that person, or that person's law firm, currently represents a party with respect to the BLMIS proceeding, unless the Parties provide prior written consent that the person may act as Mediator.

Pursuant to the Stipulation Extending Time to Conclude Mediation, dated November 29, 2018, [Dkt. No. 229] this mediation will conclude by February 28, 2019, unless that deadline is extended by mutual consent of the Parties and the Mediator.

Dated: New York, New York  
December 17, 2018

By: /s/ Howard L. Simon  
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*Special Counsel for Irving H. Picard, Trustee for  
the Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC and  
Bernard L. Madoff*

Dated: New York, New York  
December 17, 2018

By: /s/ Carole Neville  
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*Attorneys for Defendant Elaine Stein Roberts*

Dated: Delray Beach, Florida  
December 28, 2018

By: /s/ Stanley Lehrer  
Stanley Lehrer, in his capacity as administrator of the  
Stanley I. Lehrer and Stuart M. Stein, J/T WROS  
Delray Beach, Florida 33446

*Defendant*